

ORDINANCE
OF THE STATES OF DELIBERATION

ENTITLED

**The Land Planning and Development (Visitor
Accommodation) (Amendment etc.) Ordinance, 2021 ***

[CONSOLIDATED TEXT]

NOTE

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* No. XII of 2021; as amended by the: Land Planning and Development (Visitor Accommodation) (Amendment) Ordinance, 2022 (No. I of 2022); Land Planning and Development (Exemptions) Ordinance, 2023 (No. ** of 2023).

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ARRANGEMENT OF SECTIONS

1. ...
2. Amendment of the Use Classes Ordinance.
3. Further modification of section 48(4) of the Law in relation to certain changes of use from a visitor economy use to certain residential uses.
4. Interpretation.
5. Citation.
6. Commencement.

(Made on 24th March, 2021.)

The Land Planning and Development (Visitor Accommodation) (Amendment etc.) Ordinance, 2021

THE STATES, in pursuance of their Resolution of the 24th February, 2021^a, and in exercise of the powers conferred on them by sections 13(4) and (6), 28, 48(5), 81 and 89 of the Land Planning and Development (Guernsey) Law, 2005^b, and all other powers enabling them in that behalf, hereby order: –

Amendment of the Exemptions Ordinance.

1. ...

NOTE

Section 1 was repealed by the Land Planning and Development (Exemptions) Ordinance, 2023, section 5, with effect from 29th March, 2023, subject to the transitional provision and saving in section 5(2) and section 5(3) of the 2023 Ordinance.

Amendment of the Use Classes Ordinance.

2. (1) The Use Classes Ordinance is amended as follows.
- (2) After section 4 insert –

"Notification of use of non-serviced visitor accommodation as a winter let.

4A. (1) The owner or occupier of any non-serviced visitor

a Article V of Billet d'État No. V of 2021.

b Order in Council No. XVI of 2005; amended by Order in Council No. XIII of 2010; Ordinance Nos. XXI, XXII, XXV, XXVII and XXVIII of 2007; No. XVIII of 2011; Nos. IX and XI of 2016 and No. III of 2019.

accommodation which is being used for the provision of sleeping accommodation or lodging to persons other than visitors in the circumstances set out in paragraph (b) of the definition of "**non-serviced visitor accommodation**" in section 5(1) must notify the Authority in writing of –

- (a) the name and address of the accommodation,
and
- (b) the fact of and date of commencement of such
use,

within 21 days of such use first occurring in each winter let period starting from the winter let period commencing on 1st November, 2021.

(2) In subsection (1), "**winter let period**" means the period beginning on the 1st November and ending on the 31st March in any 12 month period."

Further modification of section 48(4) of the Law in relation to certain changes of use from a visitor economy use to certain residential uses.

3. (1) Where a change of use from an existing use falling within use class 7 (use as serviced visitor accommodation) or use class 8 (use as non-serviced visitor accommodation) to a use within use class 1 (dwelling house), use class 2 (flat) or use class 5 (use of part of dwelling for business purposes) occurred in reliance on the exemption in paragraph 1 of [Class 12 to Schedule 1] to the Exemptions Ordinance, section 48(4) of the Law is modified as set out in subsection (2).

(2) The modification is that in calculating the periods within which a compliance notice may be issued no account is to be taken of any time from the 1st April, 2021 until the [[31st January, 2024] or such later date as the Authority may prescribe under paragraph 1(1)(b) of [Class 12 to Schedule 1] to the Exemptions

Ordinance].

NOTES

In section 3,

the words in square brackets in, first, subsection (1), second, in the first pair of square brackets within the square brackets in subsection (2) and, third, in the second pair of square brackets therewithin were all substituted by the Land Planning and Development (Exemptions) Ordinance, 2023, section 4, respectively subsection (2)(a), subsection (2)(b)(i) and subsection (2)(b)(ii), with effect from 29th March, 2023;

the words in square brackets in subsection (2) were substituted by the Land Planning and Development (Visitor Accommodation) (Amendment) Ordinance, 2022, section 3(2), with effect from 27th January, 2022.

Interpretation.

4. In this Ordinance, unless the context requires otherwise –

"the Exemptions Ordinance" means the Land Planning and Development (Exemptions) Ordinance, [2023],

"the Law" means the Land Planning and Development (Guernsey) Law, 2005, and

"the Use Classes Ordinance" means the Land Planning and Development (Use Classes) Ordinance, 2017^d.

NOTE

In section 4, the figures in square brackets in the definition of the expression "the Exemptions Ordinance" were substituted by the Land Planning and Development (Exemptions) Ordinance, 2023, section 4(3), with effect from

^d Ordinance No. IV of 2017.

29th March, 2023.

Citation.

5. This Ordinance may be cited as the Land Planning and Development (Visitor Accommodation) (Amendment etc.) Ordinance, 2021.

Commencement.

6. This Ordinance shall come into force on the 1st April, 2021.